

REMARKS / ARGUMENTS

In response to the Office Action dated August 28, 2007, Applicant respectfully requests reconsideration based upon the above amendments and following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Status of Claims

Claims 1-30 were pending and have been rejected by the Examiner. Claims 1, 7-9, 16, and 22-25 have been amended. Claims 2 and 17 have been cancelled. Accordingly, claims 1, 3-16, and 18-30 are presented and at issue.

Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 7-9 and 22-25 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner noted that the following terms lack antecedent basis: (i) "said GSR binding encoding information" in line 2 of claim 7; and (ii) "said GSR binding encoding information" in line 2 of claim 22. Accordingly, claims 7-9 and 22-25 have been amended to provide proper antecedent basis for "said GSR binding encoding information". No new matter has been added.

In view of the foregoing, Applicant respectfully submits that claims 7-9 and 22-25 now meet all applicable requirements of 35 USC 112. It is further submitted that the claimed subject matter is described in such a manner that reasonably conveys to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw this rejection, which Applicant considers to be traversed.

Rejections Under 35 U.S.C. §102 (e)

The Examiner rejected claims 1-30 under 35 U.S.C. 102(e) as being allegedly anticipated by Hodges, U.S. Publication No. 2004/0123232. Applicant traverses this rejection for the following reasons.

Applicant respectfully submits that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, *in a single prior art reference.*” *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). Moreover, “[t]he identical invention must be shown in as complete detail as is contained in the *** claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Furthermore, the single source must disclose all of the claimed elements “arranged as in the claim.” Structural Rubber Prods. Co. v. Park Rubber Co., 749 F.2d 707, 716, 223 U.S.P.Q. 1264, 1271 (Fed. Cir. 1984). Missing elements may not be supplied by the knowledge of one skilled in the art or the disclosure of another reference. Titanium Metals Corp. v. Banner, 778 F.2d 775, 780, 227 U.S.P.Q. 773, 777 (Fed. Cir. 1985).

Independent claims 1 and 16 recite, *inter alia*, “wherein said OGSI service based information includes service data elements, port types, Grid Service Reference (GSR) values, and operation extensibility parameters”. These features were originally present in dependent claims 2 and 17, now cancelled. No new matter has been added.

Hodges discloses techniques for providing a service-oriented container. More specifically, an XML construct contains a semantic representation of the logic necessary to perform telecommunication services. A component reads the XML construct and changes its behavior based upon a model contained within the construct.

The Examiner is incorrect in his assertion that “Hodges further teaches said OGSI service based information includes service data elements, port types, Grid Service Reference (GSR) values, operation extensibility parameters (paragraph 0043 page 4).” Rather, the cited paragraph indicates that a provider converts a model of a service into an XML construct that provides a structure for listing the steps necessary to carry out a particular function. Once the provider converts the model to an XML construct, the provider attempts to identify an existing component that is compatible with the newly-defined service process. However, the cited reference fails to teach or suggest any service based information that includes service data elements, port types, GSR values, and operation extensibility parameters. Moreover, teachings of Hodge are directed to a rather specialized context of providing containers for implementing telecommunications services. Thus, the approach adopted by Hodges is completely distinguishable from Applicant’s claimed invention.

Accordingly, Applicant submits that Hodges does not disclose all of the claimed elements arranged as in the claim, and absent anticipatory disclosure in Hodges of each and every element of the claimed invention arranged as in the claim, Hodges cannot be anticipatory. It is therefore submitted that claims 1 and 16 are allowable over the prior art of record.

Dependent claims inherit all of the limitations of the respective parent claim. Accordingly, since dependent claims 3-15 depend from claim 1, it is submitted that these dependent claims are allowable for the reasons set forth above in connection with independent claim 1. Similarly, since dependent claims 18-30 depend from claim 16, it is submitted that claims 18-30 are allowable for the reasons set forth above in connection with independent claim 16.

In view of the amendment and foregoing remarks, Applicant submits that Hodges does not disclose each and every element of the claimed invention arranged as claimed and therefore cannot be anticipatory. Accordingly, Applicant respectfully submits that the

Examiner's rejection under 35 U.S.C. §102(b) has been traversed, and requests that the Examiner reconsider and withdraw of this rejection.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that the Examiner's rejections under U.S.C. §112 second paragraph, and U.S.C. §102(e) have been traversed, and respectfully requests that the Examiner reconsider and withdraw these rejections.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130.

Respectfully Submitted,

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